

City of Plainfield, New Jersey

## Rules of Order for the 2012 Plainfield City Council

Whereas, the Plainfield City Council wishes to conduct the on-going governance of the City of Plainfield in a fair, balanced and orderly manner;

Whereas, the Plainfield City Council is committed to open and transparent government;

Whereas, the Plainfield City Council wishes all its members to conduct the business of the City of Plainfield in an effective manner;

Therefore, the Plainfield City Council hereby adopts the following Rules of the Plainfield City Council:

### 1. Organization

#### 1.1 **Council; Composition and Election**

The Council shall consist of seven (7) members as are nominated and elected in accordance with the provisions of Title 19 of the Revised Statutes of New Jersey, and Section 2.2 of the Charter of the City of Plainfield.

#### 1.2 **Organizational Meeting**

The Plainfield City Council shall meet and organize at 8:00 PM on the third day of the New Year.

#### 1.3 **Member's Oath**

Members of the Plainfield City Council shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

*"I, name of duly elected member, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the People; and that I will faithfully discharge the duties of Plainfield City Council Member \_\_\_\_\_, according to the best of my ability. So help me God."*

#### 1.4 **Oath Administrator**

A person authorized by law shall administer the oath or affirmation including but not limited to the City Clerk of the City of Plainfield, the Mayor of the City of Plainfield, a Judge of any municipality, a practicing New Jersey attorney, a current or former Attorney General or Public Advocate of the State of New Jersey and any other individual allowed by the laws of the State of New Jersey.

**1.5 Election of Officers**

At the organization meeting, the Plainfield City Council shall elect a President and a Chairman of the Committee of the Whole, both of whom shall continue in office at the pleasure of the Plainfield City Council. The votes of four or more members of the City Council are required for the election of each of those officers and for their removal from office. Vacancies in those offices shall be filled at the next meeting of the City Council.

**1.6 Officer's Oath**

Each officer of the Plainfield City Council shall, before performing any duties, take and subscribe the following oath or affirmation:

*"I do solemnly promise and swear (or affirm) that I will faithfully, impartially and justly perform all duties of the office of \_\_\_\_\_, to the best of my ability and understanding; that I will carefully preserve all records, papers, writing or property entrusted to me for safekeeping by virtue of my office, and make such disposition or the same as may be required by law; that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the authority of the people. So help me God."*

**1.7 Oath Administer**

The City Clerk of the City of Plainfield shall administer the oath or affirmation. In the event that the City Clerk is unavailable, the Deputy Clerk of the City of Plainfield shall administer the oath or affirmation.

**1.8 Assignment of Seats**

Immediately after the election of the President, the Plainfield City Council shall take the seats assigned to them by the City Clerk. See Article 21 for current year seating.

## **2. Sessions & Meetings**

**2.1 Attendance**

- A. Every City Council member shall promptly attend meetings of the Plainfield City Council as required by the Plainfield City Council. In case of unexcused absences, the President shall present the matter to the City Council for appropriate action.
- B. Pursuant to Section 2:2-6(b) of the Plainfield City Charter, failure by a member of the City Council to attend six successive regular meetings of the Council shall be grounds for forfeiture of office.
- C. After the Call to Order, the Council President shall request the Clerk to call the roll and note the absences. In the event of the absence of the Clerk and the Deputy Clerk, the presiding officer shall appoint a Council Secretary pro tempore.

**2.2 Quorum**

A quorum shall be four (4) Council members (NJSA 40A:60-3d). If no quorum exists at any particular meeting, then those assembled shall set a new meeting date and then adjourn. The names of the City Council members present shall be entered in the minutes of said meeting.

**2.3 Recesses**

The Plainfield City Council may, by motion, take short recesses during any meeting.

**2.4 Open Public Meetings Act Compliance**

State statutes provide that all meetings shall be open to the public (Chapter 231, P.L. 1975), subject to provisions allowing for Executive Session discussion. The Open Public Meetings statement shall be read by the Council President at all Agenda Fixing, Regular Public, Working Conference and Special Meetings.

**2.5 Petition for Special Session**

Four or more City Council members may in a written petition call special sessions of the Plainfield City Council whenever the public interest shall require.

**2.6 Schedule of Meetings**

- A. The President of the City Council, in consultation with the majority of the Council and the City Clerk, shall select a calendar and locations of Regular Public business meetings and Agenda Fixing sessions for the upcoming year before or at the final Agenda Fixing Session of the year.
- B. There shall be a minimum of 12 Regular Public business meetings of the City Council during a calendar year and 12 Workshop Agenda Fixing sessions of the City Council during a calendar year.
- C. Workshop Agenda Fixing sessions will be held generally on the first Monday of each month, except for June, July, August and November when the meeting will be held generally on the second Monday of each month. Unless otherwise noticed, all Workshop Agenda Fixing sessions will be held in the Library of City Hall. Meetings will be scheduled on the next business day that is not a holiday in the case of a Monday holiday.
- D. Regular Public Business meetings will be held generally on the second Monday of each month, except for June, July, August and November when the meeting will be held generally on the third Monday of each month. Unless otherwise noticed, all regular public business meetings will be held in the Court Chamber of the Plainfield Municipal Court. Meetings will be scheduled on the next business day that is not a holiday in the case of a Monday holiday.
- E. Working Conference sessions will be scheduled by the President of the City Council as needed.

- F. Special Sessions will be scheduled by the President of the City Council as needed.
- G. Budget work sessions will be scheduled at the Annual Re-Organization meeting. No more than six (6) sessions will be scheduled in a given calendar year. If more are needed, the Council President, in consultation with the Chair of the Administration & Finance Committee, will schedule them. The Directors of each division is required to present at the meetings and answer any questions the Council may have.

**2.7 Duration of Meetings**

- A. All Regular Public Business meetings will begin at 8:00 PM and end by 10:00 PM unless otherwise noticed. This time may be extended to 11:00 PM by a unanimous vote of the City Council members present at the meeting.
- B. All Agenda Fixing Sessions shall begin at 7:30 PM and end by 10:30 PM. This time may be extended to 12:00 AM (midnight) by majority vote of the Council members present at the meeting. A unanimous vote of the Council shall be required to extend the Agenda Fixing Meeting beyond 12:00 AM (midnight).
- C. Working Conference Sessions will begin at 7:00 PM and will end no later than 9:00 PM.
- D. Special Sessions will begin at 7:00 PM and will end no later than 9:00 PM.
- E. Budget work sessions will begin at 7:00 PM and will end no later than 10:00 PM.

**2.8 Setting the Agenda**

- A. Submissions for the Workshop Agenda Fixing meeting shall be at the City Clerk's Office no later than 2:00 PM on the Wednesday prior to the upcoming Monday session. A Request for Council Action form must be submitted reflecting the nature of the action sought; and if other than a business transaction, the nature of the item and the anticipated length of time necessary for consideration must be outlined.
- B. Council actions may be initiated by members of the Council, the Mayor, the City Administrator and the Clerk's Office. All actions other than those initiated by Council members must be approved by the Mayor or the City Administrator prior to consideration by the Council President for placement on the agenda.

- C. The Council President shall review with the Clerk all items received and will determine the ultimate composition of the agenda. The Council President and the City Clerk will meet on Wednesday at 4:00 PM and the City Administrator and the Corporation Counsel will be available at 5:00 PM of the same day to respond to any questions by the Council President. A preliminary agenda and any supporting materials will be delivered to the Council by email no later than the Thursday preceding the applicable business meeting. The final agenda shall be delivered to the Council and posted to the Plainfield website on the Friday preceding the applicable business meeting.
- D. Except as otherwise authorized by the Council President, no resolution or ordinance shall be considered by the Council unless the fully prepared resolution or ordinance is delivered to the Clerk by 2:00 PM on the Wednesday preceding the next meeting, so that the material may be included with the materials to be delivered to the members of the Council in their meeting packets.
- E. Any matter not submitted to the Clerk's office in a timely manner as set forth above may be considered and acted on by the Council members present, with the approval of the Council President or by majority vote to consider the matter.
- F. Items which are not submitted to the Clerk on the Wednesday prior to the upcoming Monday Agenda Fixing meeting may be added to the agenda prior to the beginning of the meeting with the approval of the Council President or by an affirmative vote, without debate, of the majority of the Council members present at the meeting.
- G. For the Regular Business meeting, the agenda would have been set by the City Council on the previous Workshop Agenda Fixing meeting on the 1<sup>st</sup> Monday of the month or 2<sup>nd</sup> Monday of the month during June, July, August and November. Any additional matters must be approved by the Council President or by an affirmative vote, without debate, of the majority of the Council members present at the start of the meeting.

## **2.9 Consent Agenda Items**

All Consent Agenda items, identified by an asterisk (\*) as shown on the Regular Public Meeting agenda, and having been properly posted for the public's perusal prior to the beginning of the meeting, shall be considered in the form of one motion by City Council.

If a member of the City Council requests that a Consent Agenda item be considered and voted upon independently of all other Consent Agenda items, then that item will be read by title and a separate vote will be taken. All other Consent Agenda items not affected by the request shall be considered in the form of one motion by the City Council. The Consent Agenda shall be adopted by a unanimous vote of the council members present.

**2.10 Agenda Fixing Session**

Workshop Agenda Fixing Sessions of the Plainfield City Council will be held generally on the 1<sup>st</sup> Monday of each month, except for June, July, August and November when it will be held generally on the 2<sup>nd</sup> Monday of the month, unless otherwise scheduled and noticed by the City Council. In the event of a holiday, the meeting will be held on Tuesday or the next business day that is not a holiday. The purpose of these meetings is to review the Regular Public meeting agenda and to conduct such business as may come before the City Council.

The Mayor is invited to attend the Agenda Fixing session to review with the Council matters, which the Administration will be placing before the Council in the upcoming weeks. The City Administrator, Corporation Counsel, department heads and other members of the Administration shall be available to answer all questions at Council meetings. Further, these meetings will be used to review ordinances, both new and existing, that need to be reconsidered.

No ordinance will be placed on the Regular Public meeting agenda unless it has been reviewed at the Workshop Agenda Fixing Session (unless Council concurs otherwise). The Workshop Agenda Fixing sessions must be noticed in the event action must be taken. There will be a public comment period of no more than 60 minutes after the introduction of ordinances on first reading or at the discretion of the Council President.

**2.11 Regular Public Meetings**

Regular Public meetings of the Plainfield City Council shall be held generally on the 2<sup>nd</sup> Monday of every month except for June, July, August and November when it will be held generally on the 3<sup>rd</sup> Monday of the month.

The meeting schedule for the year will be adopted at the annual re-organization meeting and may be revised by a Resolution of the City Council at any regular or special meeting. All Regular Meetings shall be held in the Plainfield Municipal Court Council Chambers or at such other place as may be designated by the City Council by resolution or motion.

**2.12 Working Conference Sessions**

Working Conference sessions will be utilized for policy development or similar matters and will be scheduled and/or retained as the Council sees fit. Generally, the intention of these meetings is for Council discussion and formulation of policy. There will be a public comment period of no more than 60 minutes at the end of the session. Action may be taken if it is noticed to be considered.

**2.13 Executive Sessions**

State statute allows executive sessions for the discussion of personnel and legal matters in private without public or press. Action may not be taken during Executive Sessions.

#### **2.14 Special Meetings**

The Council President shall, when he or she deems necessary, call Special Meetings of the City Council; or any four (4) members of the City Council may call a Special Meeting at such time and in such place within the City as they may designate by consensus or by resolution.

In all cases of Special Meetings, reasonable advance notice (considered to be 48 hours, shall be given to all members of the City Council or left at their place of residence (NJSA 40: 48-24). Only business specified in the notice or resolution calling for the Special Meeting may be transacted.

### **3. Role of the Council President**

#### **3.1 Selection of the President of the Council**

By a majority vote, the City Council, at its Annual Re-organization Meeting, shall elect a President of the Council from its number who shall preside at all meetings. The President shall hold office for one year until the next Annual Re-organization Meeting.

#### **3.2 Duties of the President of the City Council**

The President shall open each meeting of the Plainfield City Council and immediately call the City Council members to order. When a quorum is present, the President may proceed with the business of the Plainfield City Council. He or she shall have the right to debate and vote on all questions before the City Council. He or she shall serve as the spokesperson for the Council and a liaison to the Mayor.

#### **3.3 Control of Chambers; Safety**

The President shall have the general direction of, supervision of and preserve order and decorum in the Council Chambers, lobby, gallery and meeting rooms in Plainfield City Hall and/or Plainfield Courthouse and elsewhere as may be used by the Plainfield City Council, its committees, commissions, officers, City Council members and employees.

The President has authority to protect the safety of the City Council members, officers and employees of the City Council in performance of their official duties, as well as that of the general public in connection with the conduct of the City Council's official business, and to preserve and protect property and records under the jurisdiction of the Plainfield City Council. In case of disturbance or disorderly conduct in the gallery or lobby, the President may have the offending persons arrested or removed.

#### **3.4 Limit Debate to Question**

During debate the Council President shall prevent personal reflections and confine Council members to the question under discussion.

**3.5 Questions of Order, Appeal**

The President shall decide questions of order without debate, subject to an appeal to the City Council, when demanded by any Council member. On appeal, no Council member shall speak more than once, unless by leave of the City Council. The appeal shall be decided by the same number of votes as required by the original motion. All appeals from incidental questions of order arising after a motion is made from the previous question, and pending such motion, shall be decided without debate. The Council President may call upon the Parliamentarian for an opinion on any questions of order.

**3.6 Statement of Questions, Results**

The President shall state all questions before City Council and shall put the questions substantially in the following form:

*“All those in favor of (the question) signify by saying ‘aye’ or opposed ‘no’”*

If the President is uncertain of the result, a roll call shall be taken.

**3.7 Appoint Committees**

The President shall appoint all committees, including its Chair, but the entire City Council shall ratify said appointments. The President may, during the inability of a committee member to serve, appoint another Council member to serve during that period. In appointing Council members of the minority party to committees, the President shall solicit and consider recommendations submitted by the Minority Leader.

**3.8 President, Pro Tempore**

If the President shall desire to temporarily vacate the Chair during any meeting, the President shall request the President, pro tempore to preside. While presiding, the President, pro tempore, shall possess all the powers and discharge all the duties of the President. When the President is absent, the President, pro tempore, shall possess all the powers and discharges all the duties of the President. The President, pro tempore, shall be the last elected Council President still serving on the Council unless the Council chooses to hold an election at the re-organization meeting selecting another member for the position.

**3.9 Persons Allowed on the Floor, Photography, Recordings**

The President may allow representatives of the press and other persons whose official business may require their presence on the floor of the Council Chambers. The taking of still or motion picture during meetings and the recording of proceedings of the council is permitted at all times unless such action becomes disruptive to the business of the City Council.

## **4. Role of the Chairman of the Committee of the Whole**

### **4.1 Selection of the Chairman of the Committee as a Whole**

By a majority vote, the City Council, at its Annual Re-organization Meeting, shall elect a Chairman of the Committee from its number who shall preside during the setting of the agenda at the Workshop Agenda Fixing session. The Chairman shall hold office for one year until the next Annual Meeting.

### **4.2 Reading of all Ordinances and Resolutions**

The Chairman of the Committee as a Whole shall read the title and, where required, body, of all resolutions and ordinances being considered or re-considered by the governing body. Upon completion of reading, Chairman shall ask for a vote by the City Clerk.

### **4.3 Filing of Committee Reports**

The chair of each committee shall file a written report of each meeting with the Chairman of the Whole including (1) the date of the meeting, (2) the names of the committee members in attendance and any other participants, and (3) the vote of each member present on a motion considered by the committee.

## **5. Introduction and Passage of Ordinances and Resolutions**

### **5.1 Legislative Actions**

- A. Every legislative act of the Council shall be by resolution or ordinance. A resolution stays in effect for a one-year period and must be voted on every year. An ordinance becomes law for eternity or until it is repealed.
- B. All proposed ordinances and resolutions shall be presented to the Council in fully prepared form. No ordinance, except general appropriation ordinances, shall be passed containing more than one subject, which shall be expressed in its title.
- C. Resolutions and ordinances shall be numbered sequentially at the time of placement on the business agenda. Two separate numbering systems shall be used for the two forms of actions.
- D. A majority of the whole number of members of the Council shall constitute a quorum. No ordinance shall be adopted by the Council without the affirmative vote of a majority of the full membership of the Council (NJSA 40:69A-180). In the case of the adoption of bond ordinance, the affirmative vote of 2/3 of the full governing body (generally five “yes” votes) is required.

- E. All votes shall be taken by roll call except consent items, and the ‘yeas’ and ‘nays’ shall be entered on the minutes. The presiding officers shall vote last on all questions.
- F. An ordinance may be presented at any regular meeting, and also at special meetings, when such special call is for general business or such ordinance is mentioned in the call for a special meeting.
- G. The action of the Council on ordinances shall be noted in the minutes.
- H. All ordinances shall be prepared and/or approved as to form by the Corporation Counsel and adopted and published in the manner required by law. Following the second reading and public hearing, an ordinance passed by the Council shall, within three days, be delivered by the Clerk to the mayor for approval or veto, and the Mayor shall, within 10 days after receiving any ordinance, either approve the ordinance by signing it or return it to the Council by delivering it to the Clerk, together with a statement setting forth the Mayor’s objections thereto or to any part thereof.
- I. Pursuant to NJSA 40:69A-41, no ordinance or any item or part thereof shall take effect without the mayor’s approval, unless the Mayor fails to return an ordinance to the Council within 10 days after it has been presented to the Mayor or unless the Council, upon reconsideration thereof on or after the third day following its return by the Mayor, shall, by a vote of 2/3 of the members, resolve to override the Mayor’s veto.
- J. Passage over veto. Whenever an ordinance has been reconsidered by the Council following a veto by the Mayor, the Clerk shall append to such ordinance a certification of the action of the Council upon such reconsideration in substantially the following form:

*“I HEREBY CERTIFY that the above ordinance adopted by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, was delivered to the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, together with the Mayor’s statement of the reasons for which the mayor was constrained to withhold approval of such ordinance, item or part thereof. On reconsideration thereof on the day of \_\_\_\_\_, (the Council duly resolved by the affirmative vote of 2/3 of its members to enact such ordinance, item or part thereof notwithstanding the Mayor’s veto) or (the Mayor’s veto was sustained.)*

\_\_\_\_\_  
City Clerk

- K. Whenever an ordinance shall take effect without the Mayor's signature by reason of the Mayor's failure to return it to the Council by filing it with the Clerk within 10 days after it has been presented by the Mayor, the Clerk shall append to such ordinance a certificate in substantially the following form:

*"I HEREBY CERTIFY that the above ordinance was adopted by the Council on the \_\_\_\_\_ day of \_\_\_\_\_ and was presented to the Mayor duly certified on the \_\_\_\_\_ day of \_\_\_\_\_, and upon the Mayor's failure to sign it or return and file it with the clerk within 10 days thereafter, said ordinance took effect in like manner as if the Mayor had signed it.*

\_\_\_\_\_  
City Clerk

- L. Resolutions shall take effect after passage by the Council. Ordinances shall take effect after final passage, publication and the conclusion of any waiting periods as required by law.
- M. The City Clerk shall record all ordinances and resolutions adopted by the Council.
- N. Resolutions and ordinances shall each be maintained in separate ledgers that are kept on an annual basis and that are permanent records of the City of Plainfield.
- O. All ordinances shall be sent (in duplicate) to the codifier for inclusion in the codification.
- P. No rule or regulation made by a department, officer, agency or authority of the City, except such as relates to the organization or internal management of the government or part thereof, shall take effect until it is filed either with the City Clerk or in such other manner as may be provided by ordinance.

## **6. Disclosure of Interest**

A member who has a personal or private interest in any question or measure proposed or pending before the Council shall disclose such interest and shall not vote thereon nor take any part in the discussion of the same. Said member will leave the Council Chamber at the time the matter is being discussed.

## **7. Council Appointments**

The President of the City Council shall make appointments to internal Council committees with a ratification vote of the City Council. The Administrative Code regulates appointments to City commissions, boards, committees and other bodies. Every January, the City Clerk shall provide to the Council a list of all Commissions, Boards, Committees and other bodies that have a Council representative with the name of the current Council representative.

## **8. Minutes of Meeting**

The City Clerk shall submit the draft minutes of each meeting to the Council for approval. Minutes which have been prepared but which have not been approved by the Council shall be considered Draft Minutes – Subject to Correction by the Council. These draft minutes shall not be available to the public.

Once Regular Public meetings have been approved by the Council, they shall be signed by the Clerk, and certified duplicate copies of the same shall be available to the public at the rates fixed by law. Closed session minutes shall be made available at such time as the issues discussed therein are resolved.

Until the approval of minutes for any meeting by the Council, the only authoritative record of the meeting shall be the tape recording of the specific meeting. Once the minutes have been approved as written, they shall become the official record of the meeting.

## **9. Recording, Tapes**

### **9.1 Recording**

All meetings of the City Council shall be recorded.

### **9.2 Record of Meetings**

The recording of any open meeting of the City Council shall remain on file in City Hall for five years. The City Clerk or designee may not remove such tapes, CDs or DVDs from City Hall except if required by a Court of Law. The recording of closed session meetings shall remain on file until the minutes of said closed session have been approved by the City Council (at which time the Clerk shall destroy the tape if one exists).

### **9.3 Public Use of Tapes, CDs, DVDs**

The Clerk shall make available a tape, CD or DVD player so that the public may listen to a recording at the Clerk's office.

**9.4 Reproduction of Recordings**

Reproduction of tapes, CDs and DVDs may be arranged, with the requesting party paying a fee for this service.

**9.5 Videotaping of Council Meetings**

The Council may approve an annual resolution for the videotaping of the Agenda Fixing sessions of the City Council.

## **10. Parliamentary Procedure**

Robert's Rules of Order, Newly Revised shall be the prevailing authority in matters of parliamentary procedure, except to the extent of anything herein to the contrary. The City Clerk will serve as the Parliamentarian at the meetings but the City Council may appoint a certified Parliamentarian at its discretion.

## **11. Decorum and Debate**

**11.1 Persons Allowed on the Floor**

No person is allowed on the floor of the City Council Chamber during meetings of the Council except as follows:

- A. Council Members;
- B. The Mayor;
- C. Corporation Counsel;
- D. City Clerk;
- E. City Administrator;
- F. Department Directors;
- G. Officers, staff and employees of the City Council or the City of Plainfield, and
- H. Other persons whose official business may require their presence on the floor, by permission of the Council President or with the consent of the Council.

**11.2 Addressing the Council**

Generally, only Council members may address the Council. Individuals invited by the President to address the Council shall not speak in favor of, or in opposition to, matters before the Council or express any political opinion or engage in personalities.

**11.3 Getting the Floor**

Every City Council member desiring to speak for any purpose, whatsoever, shall address the Council President, and upon recognition, confine him or herself to the question under debate, avoiding personalities and indecorous language.

**11.4 Speaking in Debate**

When a Council member is about to speak in debate, or communicate any matter to the Council, the Council member shall respectfully address the President. Remarks shall be confined to the question under debate, avoiding personalities. No Council member shall speak in debate or address the Council until properly recognized by the President. When two or more Council members arise at the same time, the President shall name the one entitled to the floor. Members and others given the privilege of the floor shall address the presiding officer.

**11.5 Transgression of Rules of the Council**

If any Council member transgresses the Rules of the Council, the President shall, or any Council member may, call the Council member to order. The Council member called to order shall immediately stop speaking, unless permitted to explain. The Council shall, if appealed to, decide on the question without debate, and the votes of a majority of those present and voting shall prevail.

**11.6 Exception to Words Spoken in Debate**

If a Council member is called to order for words spoken in debate, the Council member calling the Council member to order shall repeat the words to which exception was taken, and they shall be taken down in writing at the Clerk's table. No Council member shall be held to answer, or be subject to the censure of the Council for words spoken in debate, after any other Council member has spoken, or other business has intervened after the words spoken and before exception to them has been taken.

**11.7 Interruption**

A Council member, once recognized, shall not be interrupted when speaking unless it is to call a point of order or as herein otherwise provided. If a Council member, while speaking, shall be called on a point of order, s/he shall cease speaking until the Council President determines the point of order; if in order, he or she shall be permitted to proceed.

**11.8 Speaking on an Ordinance, Resolution or Motion, Time**

No Council member shall speak on any resolution, ordinance or any other matter more than three times, for an accumulative time of no more than 15 minutes without the permission of the President.

**11.9 Questioning Administration Officials, Invited Guest, Time**

Council members will rotate according to the roll call order to question anyone that appears before the Council. Each member will be entitled to five continuous minutes of questioning before the next Council member is allowed to pose any question or make any comments. A Council member may pass or yield their time to another member of the City Council once the President has approved it.

**11.10 Previous Question**

No motion for the previous question is in order until at least one Council member each of the majority and minority parties has been give the opportunity to speak on the question at least once.

**11.11 Council Conduct**

No member of the City Council shall question the vote or motives of a fellow Council member. No allusion shall be made to the motives actuating any member in his or her course of debate or other performance of duty.

## **12. Voting**

**12.1 Presence Required; No explanation**

No Council member's vote shall be recorded unless the Council member is present in the Chamber or present remotely by speaker phone.

**12.2 Vote Changes, Time**

Council members may change their votes before the end of the Council meeting after being recognized by the Council President. The president may correct votes that have been erroneously recorded upon the prompt request of the Council member.

**12.3 Incidental Questions of Order**

All incidental questions of order arising after a motion is made for the previous question, and pending that motion, shall be decided without debate.

## **13. Petitions, Memorials and Communications**

Petitions, memorials and other papers addressed to the Council shall be presented by a Council member.

## **14. Order of Business for Agenda Fixing Meetings**

The order of business for Workshop Agenda Fixing meetings, unless the President determines otherwise, shall be as follows:

### **Section I - President**

Call to Order  
Roll Call  
Reading the Open Public Meetings Act notice  
Communications from the Mayor  
Other Communications and Petitions  
Reports of Committees and Liaisons  
Unfinished Business

## **Section 2 – Chair of the Committee of the Whole**

Legislative Discussion Matters

Resolutions – New Business

Introduction of Ordinances on First Reading

## **Section 3**

Public Comment (no more than 60 minutes)

Adjournment

In the event that there is no item under a particular heading (i.e. no communication from the mayor or no reports of Committees and/or Liaisons), the item shall be stricken from the Agenda.

## **15. Order of Business for Regular Public Meetings**

The order of business for Regular Public meetings, unless the President determines otherwise, shall be as follows:

- A. Call to Order
- B. Roll call
- C. Reading of the Open Public Meetings Act notice
- D. Salute to the Flag of the United States of America
- E. Invocation
- F. Presentation of Honors, Awards and Memorials
- G. Approval of Minutes, unless dispensed by the order of the Council. The Minutes may be corrected by direction of the President or on motion by any Council member.
- H. Communications from the Mayor
- I. Public Comment on Ordinances on Second Reading (15 minutes)
- J. Ordinances on Second Reading
- K. Unfinished Business
- L. Public Comment on Ordinances on First Reading (15 minutes)
- M. Introduction of Ordinances on First Reading
- N. Public Comment (no more than 60 minutes)
- O. Council Comments
- P. Adjournment

In the event that there is no item under a particular heading (i.e. no communication from the Mayor or no reports of Committees and/or Liaisons), the item shall be stricken from the Agenda.

The aforesaid Order of Business for a Regular Public Business meeting may be changed by majority vote of the Council members present at the meeting or at the discretion of the Council President.

## 16. Committees

### 16.1 Committees and Membership

The following Standing and Special Oversight Committees shall be appointed by the President. The committee shall have no more than three (3) members including its chair who shall be appointed by the President:

#### 1. Council Standing Committees:

##### a. Administration & Finance Committee

The Administration & Finance Committee shall concern itself with all municipal operations and budget and personnel matters.

The committee shall evaluate the efficiency and effectiveness of city operations and ensure administrative compliance with legislative intent, including administrative regulations of departments, agencies and programs. The committee shall select areas for review, establish goals and objectives; collect and analyze data, and report to the council with recommendations, including possible legislative and programmatic changes based on its review and analysis.

The committee shall exercise general oversight with respect to city revenues and expenditures and all other component units that comprise the government entity, as defined by the Governmental Accounting Standards Board. The committee shall evaluate the cost of implementation of any order, ordinance, program, or other initiative pending before the body, and shall make such report whenever requested by another committee or directed by the Council President. The committee shall have referred to it all matters concerning appropriations, the city budget, expenditures and loans. The committee shall concern itself with issues related to all city owned or leased facilities. The committee shall exercise oversight with respect to the Administration & Finance Department, Tax Collector Department, Tax Assessor Department, Audit & Control Department and Purchasing Department.

#### 2. Council Special Oversight Committees:

The following Special Oversight Committees were formed as of January 1, 2010 and will be maintained in place until their respective subject matter has been accomplished. Each year several Special Oversight Committees will be created by resolution of the Council.

##### a. Economic & Community Development Committee

The Economic & Community Development Committee shall concern itself with all municipal matters related to the physical and economic development of the city, including planning, zoning, housing, licensing, land use policy, and the effects of development. The committee shall exercise oversight with respect to all commercial, medical, educational and large scale residential development and building projects, as well as historic preservation programs. The committee shall exercise oversight with

respect to the care, management, custody, and use of public lands and buildings, except parkland. The Committee shall concern itself with public policy involving the preservation, creation, and rehabilitation of housing in the city, including public housing programs. The committee is charged with evaluation of policies and programs of the city to ensure an adequate supply of affordable housing to advocate toward the goal of safe, decent, and affordable housing for all residents in the city. The committee shall familiarize itself with all state and federal housing initiatives and the practices and needs of the Plainfield Housing Authority.

### **Public Safety Committee**

The Committee shall concern itself with the adequate delivery of police and fire protection to all neighborhoods. The committee shall also concern itself with evaluating, encouraging, and facilitating existing resident-driven efforts to prevent crime. The committee shall exercise oversight with respect to the all fire, police, health and neighborhood services agencies including Plainfield Fire Department, Plainfield Police Department, Muhlenberg Satellite Emergency Center and Union County Jail. The committee shall familiarize itself with the needs of all Plainfield Block Associations. The Committee shall be knowledgeable about all anti-crime efforts financed by county, state and federal government sources.

### **City & Neighborhood Services Committee**

The Committee shall also concern itself with the delivery of municipal services to the city's residents and neighborhoods in order to promote improved service delivery and cost reductions. The committee shall be responsible for the provision of quality physical services provided by the city such as infrastructure maintenance for roads and bridges, code enforcement, waste collection and litter control, water and flood control projects, and assessments of public buildings, land and waterways. The committee shall also concern itself with the City's programs for family-based initiatives, youth services, senior services and health services. The committee shall exercise oversight with respect to the Public Works Department, Inspections Department and Health Department. The Committee shall familiarize itself with entities that provide city-wide services such as the Plainfield Municipal Utility Authority, Plainfield Public Library, Plainfield Senior Center, Plainfield Heath Center, Bilingual Day Care Center, WIC Program, Plainfield Action Services and all Recreation Programs.

### **3. Council Liaisons**

The City Council has liaisons with the following agencies and departments within the City of Plainfield and the County of Union. The President appoints the Council members to the Liaisons positions with the approval of the entire City Council. The following Liaisons positions are as follows:

- a. Mayor's Citizen Advisory Committee (1 Member/1 Alternate)
- b. Plainfield Planning Board (1 Member)
- c. BOE – Plainfield Board of Education (1 Member/1 Alternate)
- d. Green Brook Flood Control Commission (1 Member/ 1 Alternate)
- e. Union County Community Development Revenue Sharing (1 Member)
- f. Cable TV Advisory Committee (3 Members)
- g. PHA - Plainfield Housing Authority (1 Member/1 Alternate)
- h. PMUA - Plainfield Municipal Utility Authority (1 Member/1 Alternate)
- i. SID - Special Improvement District (3 Members)
- j. Shade Tree (1 Member/ 1 Alternate)
- k. Muhlenberg ( 3 members)Senior Citizens Center (3 Members)

#### **16.2 Appointment of Other Bodies**

The Council or its president may appoint any commission, committee, taskforce or other body to aid or assist the Council in performing its functions. Council members may be appointed to serve on these bodies but in no instance shall there be more than three Council members on any body.

#### **16.3 Standing and Special Oversight Committees' Meetings, Duties; Notice; Agenda**

A. Each standing committee shall meet at least monthly and at the call of its chair. Standing committees shall meet at the call of its chair. Standing committees may consider bills, resolutions and matters referred to them by the President or the Council; review the functions, duties and operations of agencies of the City; and investigate any matter within their subject areas.

Such investigations shall conclude with a written report to the Council, which may include findings and recommendations.

- B. The Standing and Special Oversight Committees are not subject to the Open Public Meetings Act and may meet at the convenience of the committee members.
- C. Every committee shall report back to the Council on a regular schedule to be formulated by the President and provided to the committee chairs at the reorganization meeting.
- D. Each committee shall develop a written agenda for the year, preferably at its first meeting, which shall include specific goals and priorities that the committee plans to address.

- E. Each committee will plan, study, direct, make recommendations with budgetary limitations, and carry on the routine activities for which it has primary responsibility
- F. Each committee shall perform such acts as may be assigned to it by the City Council.
- G. Except as provided herein, a committee shall not (1) make budgetary commitments without prior approval of the City Council, (2) make promises or commitments to anyone which directly, or by reference, bind the Council, and (3) act in such a manner or make any decision which sets a precedent or violates established policy.

**16.4 Reports of Committees**

Standing and Special Oversight Committees shall provide the entire Council with its findings. Council members serving on the committee and not concurring with the majority may issue a minority statement.

**Adopt Rules**

Each committee may adopt rules for its operation and conduct of business provided the rules are consistent with these rules.

**16.5 No Committee Meetings During Council Meetings**

No Council Liaison may attend their respective body's meeting when the Council is meeting without notifying the President.

**16.6 Chair Files Report, Contents**

The chair of each committee shall file a written report of each meeting with the Chairman of the Whole including (1) the date of the meeting, (2) the names of the committee members in attendance and any other participants, and (3) the vote of each member present on a motion considered by the committee.

**16.7 Second Reference**

Any ordinance, resolution or any other matter which appropriates or involves an actual or potential appropriation or involves an actual or potential appropriation or increased expenditure of \$25,000 or more of City or other public funds, shall upon being reported by committee be referred to the Administration & Finance Committee for further fiscal study, evaluation and report.

**16.8 Liaisons' Duties and Reporting**

- A. Every council liaison should attend the meetings of their assigned commission, board, committee or body and take notation of said body's matters under consideration.
- B. Every liaison shall report back to the Council on a regular schedule to be formulated by the President and provided to the committee chairs at the reorganization meeting.
- C. In the event that the liaison's committee is reviewing a proposed ordinance or resolution, the liaison shall notify the President so the full Council can be kept abreast of the matter.

**16.9 Reports of Liaisons**

Council Liaisons shall provide the entire Council with its findings. The liaison will provide the Council with both the majority and minority opinions of their respective body as well as the Council Liaison's view on the matter.

**16.10 Role of Council Liaisons**

Council Liaisons may not interfere with the day-to-day operations of their respective body on which they serve. They do not speak with the approval of the full Council unless the full Council has previously voted on any given issue.

**16.11 No Meetings During Council Meetings**

No Council Liaison may attend their respective body's meeting when the Council is meeting without notifying the President.

## **17. Motions & Their Precedence**

**17.1 Motions in Writing at Direction of President**

The President may direct that any motion be reduced to writing, delivered to the Clerk and read before the motion is considered.

**17.2 Motions Entered in Minutes**

All motions entered in the Minutes shall include the names of the Council members who make them.

**17.3 Division of Question**

If the question in debate contains several points, any Council member may have the question divided. But, a motion to strike out and insert, or to commit to committee with instructions, shall not be divided.

**17.4 Strike Out and Insert**

The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, or a motion simply to strike out or to simply insert. Nor shall the rejection of a motion simply to strikeout or simply to insert prevent a subsequent motion to strike out and insert.

**17.5 Motions Allowed during Debate, Precedence**

When a question is present and seconded and is under consideration before the Council, no motion shall be received except –

- A. To adjourn
- B. To lay on the table
- C. To postpone indefinitely
- D. To postpone to a certain day
- E. To amend
- F. To commit to a committee
- G. For the previous question
- H. To proceed to the consideration of Executive business

These motions shall have preference in the above order and the first two shall be decided without debate.

**17.6 Motion to Adjourn**

A motion to adjourn is in order, except during a vote, when the Council is under call, while a Council member is addressing the Council, or immediately after a motion to adjourn has been lost. A motion shall be decided without debate. When a motion to adjourn is carried, Council members shall not leave their seats until the President declares the meeting adjourned.

**17.7 Certain Motions Decided Without Debate**

Motions to adjourn, to consider Executive business, to reconsider an ordinance or resolution, to lay on the table and for the previous question, shall be decided without debate.

**17.8 Approval of Motions**

A majority of Council members voting on any motion, unless otherwise specified in their rules, shall be sufficient to adopt or reject the motions.

**17.9 Reconsideration**

When a motion has been carried or lost, or an ordinance or resolution has been passed or lost, it shall be in order for any Council member who voted on the prevailing side to move for reconsideration.

**17.10 Roll Call**

Upon demand of one member of the City Council, or when ordered by the Council President, or when directed by Statute, a roll call vote shall be called alphabetically and the yeas and nays entered into the official minutes of the meetings.

## **18. Questions of Privilege**

### **18.1 Question of privilege are those affecting the:**

- A. Rights of the Council collectively, its safety, dignity and the integrity of its proceedings; and
- B. Rights, reputation and conduct of Council members individually, in their representative capacity only.

### **18.2 Precedence**

Questions of privilege shall have precedence over all other questions, except motions to adjourn, but shall not be raised during debate on a question unrelated to the privilege.

### **18.3 Privilege of Closing Debate**

The Council member moving the adoption of an ordinance, resolution, or motion shall have the privilege of closing debate.

## **19. Rules of Adoption & Term**

The Rules of Order shall be adopted by a resolution of the City Council concurred in by a majority of the members of City Council. The rules shall become effective immediately after adoption and shall remain in effect until the succeeding Annual Re-organization Meeting.

## **20. Amendments**

### **20.1 Who Can Amend**

The Council President or any member of the City Council may propose amendment to these Rules at any Agenda Fixing Meeting.

### **20.2 Appointment of Amendment Committee**

The Council President, with the consent of the Council, will then appoint a Special Committee of three members of the City Council to consider the proposed amendments. The Special Committee will present its recommendations at the next Agenda Fixing Meeting of the City Council.

### **20.3 Voting Requirements and Process**

The Rules may be altered or amended only by a two-thirds vote on a roll call, taken at two successive Agenda Fixing meetings of the City Council.

## **21. Seating Arrangement for the Council**

Here is the seating arrangement for the 2012 City Council. From Audience Perspective: Council members will be seated left to right in the Municipal Court Council-Chambers as follows:

SEAT #1	Council Member – 2nd & 3 <sup>rd</sup> Ward
SEAT #2	Council Member – 2nd Ward
SEAT #3	Council Member – 4 <sup>th</sup> Ward
SEAT #4	Council Member – President – 3rd Ward
SEAT #5	Council Member – 1 <sup>st</sup> Ward
SEAT #6	Council Member – 1 <sup>st</sup> and 4 <sup>th</sup> Ward
SEAT #7	Council Member - City Wide At-Large

## 22. Schedule of Committee Reports to Council

Below is the reporting schedule of Standing, Administrative and Special Oversight Committees to the full Council and the Chair and members of each committee:

### 1. Administration & Finance Committee

Report submitted at each Agenda Fixing meeting of every month

*Chair:* Adrian Mapp

*Members:* Bill Reid Cory Storch

### 2. Economic & Community Development Committee

Report submitted at each Agenda Fixing meeting of every month

*Chair:* Cory Storch -

*Members:* Rebecca Williams Bill Reid

### 3. City & Neighborhood Services Committee

Report submitted at each Agenda Fixing meeting of every month

*Chair:* Vera Greaves

*Members:* Annie McWilliams Bridget Rivers

### 4. Public Safety Committee

Report submitted at each Agenda Fixing meeting of every month

*Chair:* Bridget Rivers

*Members:* Rebecca Annie McWilliams

## 23. Schedule of Liaison/Board Appointments

### 1. Mayor's Citizen Advisory Committee

Report submitted at Agenda Fixing Meetings bi-annually

*Appointment(s):* Adrian Mapp Bridget Rivers (Alt.)

### 2. Plainfield Planning Board

Report submitted at Agenda Fixing Meetings quarterly

*Appointment(s):* Bill Reid

### 3. BOE – Plainfield Board of Education

Report submitted at Agenda Fixing Meetings bi-annually

*Liaison(s):* Bridget Rivers Annie McWilliams(Alt.)

### 4. Green Brook Flood Control Commission

Report submitted at Agenda Fixing Meetings bi-annually

*Appointment(s):* Vera Greaves Adrian Mapp (Alt)

### 5. Union County Community Development Revenue Sharing

Report submitted at Agenda Fixing Meetings bi-annually

*Liaison(s):* Cory Storch Bridget Rivers (Alt.)

### 6. Cable TV Advisory Committee

Report submitted at Agenda Fixing Meetings bi-annually

*Appointment(s):* Adrian Mapp, Rebecca Williams

### 7. PHA - Plainfield Housing Authority

Report submitted at Agenda Fixing Meetings bi-annually

*Liaison(s):* Bridget Rivers William Reid (Alt.)

### 8. PMUA - Plainfield Municipal Utility Authority

Report submitted at Agenda Fixing Meetings quarterly

*Liaison(s):* Cory Story Bridget Rivers (Alt.)

### 9. SID - Special Improvement District

Report submitted at Agenda Fixing Meetings bi-annually

*Liaison(s):* Cory Storch, Vera Greaves, Adrian Mapp (Alt)

### 10. Shade Tree

Report submitted at Agenda Fixing Meetings bi-annually

*Appointment(s):* Rebecca Williams Cory Storch (Alt.)

**11. Muhlenberg**

Report submitted at Agenda Fixing Meetings bi-annually

*Liaison(s):* Adrian Mapp, Williams Reid, Rebecca Williams

**12.**

**Senior Citizens Center**

*Liaison(s):* Adrian Mapp, Vera Greaves, William Reid

## 24. Schedule of City Council Meetings for 2012

Below is the schedule of Council meetings for the year 2012

<u><b>AGENDA FIXING SESSION MEETINGS</b></u>		<u><b>REGULAR CITY COUNCIL MEETINGS</b></u>	
		<b>January</b>	<b>3 Re-Org. Mtg. (8:00 p.m.)</b>
January	9	January	17 <b>(Tuesday)</b>
February	6	February	13
March	5	March	12
March	20		
April	2	April	9
April	17		
May	7	May	14
May	29		
June	12	June	18
June	26		
July	9	July	16
August	13	August	20
September	4 <b>(Tuesday)</b>	September	10
October	1	October	9

**October 11 thru November 7 (hiatus – General Election)**

November	13	November	19
December	3	December	10
December	17	<b>2013 Re-organization</b>	